

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**BOARDS OF TRUSTEES OF OHIO  
LABORERS' FRINGE BENEFIT  
PROGRAMS,**

**Plaintiff,**

**Case No. 2:15-cv-2401  
Judge Gregory L. Frost  
Magistrate Judge Elizabeth P. Deavers**

**v.**

**SJD CONSTRUCTION CO.,**

**Defendant.**

**ORDER**

This matter is before the Court for consideration of Plaintiff's motion to strike answer and to continue preliminary pretrial conference. (ECF No. 9.) The Court **GRANTS** the motion.

It is well-settled that non-attorneys are not permitted to appear or maintain litigation on behalf of a corporation. *Rowland v. California Men's Colony, Unit 11 Men's Advisory Council*, 506 U.S. 194, 201-02 (1993) ("It has been the law for the better part of two centuries . . . that a corporation may appear in federal courts only through licensed counsel."); *Doherty v. American Motors Corp.*, 728 F.2d 334, 340 (6th Cir. 1984) ("[A] corporation cannot appear in federal court except through an attorney.").

Federal Rule of Civil Procedure 11(a) requires signature by an attorney or, if the party is not represented by an attorney, Rule 11(a) requires signature by the party. Fed. R. Civ. P. 11(a). Because a corporation cannot appear in court except through an attorney, "[a] pleading by a corporation that is not signed by an attorney is treated as unsigned for Rule 11(a) purposes." *White v. Smith*, No. 2:09-cv-00574, 2010 WL 795967, at \*1 (S.D. Ohio March 2, 2010) (citations

omitted). “The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention.” Fed. R. Civ. P. 11(a).

Accordingly, Defendant is **ORDERED** to retain a trial attorney as provided in Southern District of Ohio Civil Rule 83.4 **WITHIN TWENTY-ONE DAYS OF THE DATE OF THIS ORDER**. Failure to comply with this Order will result in Defendant’s Answer being stricken pursuant to Rule 11(a), rendering Defendant in default.

The Court **VACATES** the preliminary pretrial conference scheduled for November 10, 2015. (ECF No. 8.) The Court will set a new date for the preliminary pretrial conference at a later time.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
**GREGORY L. FROST**  
**UNITED STATES DISTRICT JUDGE**